

Permitting and Assistance Branch Staff Report  
New Minor Waste Tire Facility Permit for  
Bakersfield Association for Retarded Citizens  
TPID No. 1676401  
March 2, 2012

**Background Information, Analysis, and Findings:**

This report was developed in response to a Minor Waste Tire Facility Permit (WTFP) application from the operator of Bakersfield Association for Retarded Citizens (BARC) located at 2240 S. Union Avenue, in the City of Bakersfield to store up to 4,999 tire equivalents. BARC is proposing to shred up to 500,000 tires per year into 2 inches, or less, tire derived aggregate. The activity will occur on approximately 1/3 acre site next to the existing BARC Industries operated recycling facility which is within a 25 acre campus serving disabled citizens in the Bakersfield area.

The operator proposes to process whole truck, passenger and tractor tires and recycle the metal rims. The processing areas will consist of two staging-receipt areas, a conveyor system shredder and classifier and a load out conveyor. Tires will be incoming and outgoing on a continuous basis, with incoming tires processed by the end of the day following their receipt. Tire derived aggregate will be conveyed from the classifier directly into transfer trailers or roll-off containers for shipment as soon as they are full.

An application for a Minor WTFP was received by Permitting and Assistance Branch staff on September 8, 2011, and was accepted as complete and correct on October 6, 2011. Pursuant to Title 14, California Code of Regulations (CCR), Section 18425, CalRecycle has 180 calendar days from the date the application is accepted as complete and correct to either issue or deny the issuance of a minor WTFP. CalRecycle is required to act by April 3, 2012.

**Findings**

Staff recommends approval of the issuance of the proposed permit. All of the required submittals and findings required by 14 CCR Section 18431 have been met to support issuance. The findings that are required to be made by CalRecycle when reaching a determination are summarized in the table below. The documents on which staff's findings are based are permanently maintained by the Permitting and Assistance Branch.

The following table summarizes the staff's findings relative to the permit application:

	<b>Findings</b>	
California Environmental Quality Act (CEQA)	Staff of the Waste Permitting, Compliance and Mitigation Division find that the issuance of the Minor Waste Tire Storage Facilities Permit is exempt from the requirements of CEQA. See additional CEQA information below.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

Compliance with Tire Storage Standards, 14 CCR, Sections 17350-17356	Staff of the Permitting and Assistance Branch and the Waste Evaluation and Enforcement Branch (WEEB) conducted an inspection of the facility on December 13, 2011. See additional compliance information below.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
Application Forms (500-504) - 14 CCR, Sections 18431(a) (b) (c) (d)	All application forms were accepted by Permitting and Assistance Branch staff as complete and correct on October 6, 2011.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
Local Requirements 14 CCR, Section 18431(h)	<i>Local Vector Control:</i> The Kern County Mosquito and Vector Control District acceptance of the vector control plan was made by Mr. Gene Abbott, Superintendent, via e-mail on September 21, 2011.  <i>Local Fire Authority:</i> An email from the Bakersfield Fire Department on September 28, 2011, determined the operation posed no threat of fire as long as fire breaks and separations were maintained in compliance with state minimum standards.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
Reviewed by: CalRecycle Legal Office	Approved on February 27, 2012	
Waste Evaluation and Enforcement Branch	Approved on February 27, 2012	

### **Compliance History:**

This is a proposed facility. An inspection was conducted on December 14, 2011. All new equipment had been installed and bolted to a concrete pad. Modifications were being made to the conveyor system and the electrical connections. The equipment had been tested and a small pile of crumb rubber was on the pad for demonstration purposes and approximately 60 tires were staged in the receiving areas. Staff found the safety and fire-fighting equipment was in place. No potential issues were observed that would prevent the operator from complying with regulations and the permit when the facility comes into full operation.

### **Environmental Analysis:**

Under CEQA, CalRecycle must consider, and avoid or substantially lessen where possible, any potentially significant environmental impacts of the proposed Minor WTFP before CalRecycle issues that permit. In this case, CalRecycle is the lead agency under CEQA and must make a determination as to whether this proposed permit is categorically or statutorily exempt or additional CEQA analysis is necessary in the form of a Negative Declaration or Environmental Impact Report.

The City of Bakersfield Planning Department issued Conditional Use Permit (CUP 08-021) which authorized the operation of a recycling center and that the issuance of the CUP was exempt from CEQA per CEQA Guidelines §15061(b)(3) due to no possibility of it causing a significant environmental impact. BARC has operated the recycling center at this location since

2008. The facility operates within a Light Industrial (M-1) zone, and is consistent with the City of Bakersfield's zoning ordinance.

The applicant applied to the City of Bakersfield Planning Department for permission to conduct tire recycling activities at the site of the recycling center. In a memorandum dated January 30, 2012, it is stated that the City of Bakersfield Department Director found that tire recycling is consistent with the intent of CUP #08-0201 and allowed the storage and processing of tires, subject to some additional conditions. As stated in the memorandum, the long term storage of unshredded tires on-site is not allowed and all tires must be shredded by the end of the day following the day of receipt and the shreds must be stored in containers until they are transported off site.

Staff prepared a Preliminary Review to determine whether a Categorical Exemption is adequate for CalRecycle's approval of this Minor WTFP. The Preliminary Review indicates that the proposed project:

- Involves the start up of an operation at an existing facility within the permitted land use;
- Involves no expansion of use beyond existing property boundaries;
- Does not allow relaxation of standards leading to environmental degradation;
- Would have no significant environmental impacts; and
- There are no additional cumulative environmental impacts.

CalRecycle staff made the finding/determination that a General Rule Exemption, 14 CCR Section 15061(b)(3) – No significant environmental impact is foreseeable from this project and it is appropriate for CalRecycle's issuance of this proposed Minor WTFP.

Staff further recommends the General Rule Exemption is adequate for the Acting Chief's environmental evaluation of the proposed project for those project activities which are within CalRecycle's expertise and authority, or which are required to be carried out or approved by CalRecycle.

The administrative record for the decision to be made by CalRecycle includes the proposed Minor WTFP and all of its components and supporting documentation, this staff report, the Categorical Exemption and other documents and material utilized by CalRecycle in reaching its decision on issuing this permit. The custodian of CalRecycle's administrative record is Dona Sturgess, Legal Office, Department of Resources Recycling and Recovery, P.O. Box 4025, Sacramento, CA 95812-4025.

### **Public Comment**

Permitting and Assistance Branch staff discussed this proposed Minor WTFP at CalRecycle's monthly public meeting conducted on January 17, 2012. No public comments were received on this project during this meeting and no other public comment has been received by CalRecycle staff.

Attachment: Minor WTFP